

CITY COUNCIL, CITY OF LODI
CITY HALL COUNCIL CHAMBERS
DECEMBER 21, 1966

A regular meeting of the City Council of the City of Lodi was held beginning at 8 p.m. of Wednesday, December 21, 1966, in the City Hall Council Chambers.

ROLL CALL

Present: Councilmen - CULBERTSON, HUNNELL, KIRSTEN
and WALTON (Mayor)

Absent: Councilmen - BROWN

Also present: City Manager Graves, City Attorney Mullen, Administrative Assistant Peterson and Planning Director Schroeder.

MINUTES

On motion of Councilman Culbertson, Hunnell second, minutes of December 7, 1966 were approved as written and mailed.

PUBLIC HEARINGS

APPEAL -
FIRST SOUTHERN
BAPTIST CHURCH

Notice thereof having been published in accordance with law, Mayor Walton called for public hearing on the appeal of the First Southern Baptist Church concerning conditions stipulated by the City Planning Commission in granting a use permit to erect an addition to existing church facilities at the northwest corner of Lodi Avenue and Allen Drive in an R-1 Single Family Residential Zone. City Manager Graves read the conditions imposed by the Planning Commission, as follows:

1. That the following items be accomplished as part of the present construction:
 - a. Installation of curb and gutter along the church street frontage where none presently exists;
 - b. Construction and redesign of the off-street parking lot to the approval of the Director of Public Works; and
 - c. Installation of landscaping to the approval of the Director of Public Works.
2. That the following improvements be accomplished within two years of the issuance of the first building permit for the present construction and that the continuance of these improvements will only be permitted if the City Attorney approves of both the time extension and the means of guaranteeing their future construction:
 - a. Installation of sidewalks for the total church frontage on both Allen Drive and West Lodi Avenue.
 - b. Installation of street lights for the total church frontage on both Allen Drive and West Lodi Avenue to the approval of the Superintendent of Public Utilities.
 - c. Installation of screen fencing between the church and the future residential area to the west.

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Mr. William Gayden, 47 North Loma Drive, representing the First Southern Baptist Church, stated the church objected to the following:

1. Installation of the street lights which they felt the City should do;
2. Installation of sidewalk and fencing within two years; they felt they could not raise sufficient funds to install the sidewalk within that time and felt that screening fence should not be required until the property to the west is developed.
3. They would also like the City to waive the bond requirement to cover installation of the improvements.

Mr. Gayden said the church would not be able to raise enough money within two years to cover the required improvements.

L. Dean McCracken, Pastor, 426 Westwood Avenue, stated there was no real need to screen the adjacent vineyard until it was developed. There was no one else in the audience who wished to be heard on this matter and no written communications had been received. There being no one else in the audience who wished to be heard and no written communications on this matter, the Mayor closed the public portion of the hearing. After discussion, it was moved by Councilman Kirsten, Hunnell second, that the request be denied with the exception that the fence on the west line of the property not be required until such time as the contiguous property is developed, with no intent to waive any portion of the bond requirement. Motion carried by unanimous vote.

APPEAL
LAKEWOOD DRUG
RE SIGN

Notice thereof having been published pursuant to law, the Mayor called for public hearing on the appeal of Lakewood Drug by Carl Fink from the decision of the City Planning Commission in denying his request for a variance to increase the maximum sign area in a C-1 zone to permit the erection of an additional free-standing sign at Lakewood Plaza. This shopping center already has non-conforming sign area in excess of that permitted. Mr. Carl Fink stated the drugstore had recently been enlarged and so should have a larger sign area; the store needs recognition on the street as the store is partially hidden from view by the service station at the northeast corner of Ham and Lockeford; and his proposed sign would serve to identify the shopping center. Mr. Fink said further that the business with the present free-standing sign was not interested in one free-standing sign to identify the shopping center and businesses therein. Mrs. Lucille Urbie, 31 Orange Street, Woodbridge, spoke in behalf of the appeal, saying she had been shopping in the vicinity for five months before she knew there was a drugstore in the area.

Stating he would like to hear further from the Planning Commission, Councilman Kirsten moved that the appeal be denied. The motion was seconded by Councilman Culbertson. Councilman Kirsten advised Mr. Fink to speak to the other tenants in regard to a central identification sign for the entire shopping center. On call of the question, the motion carried by unanimous vote. City Attorney Mullen said the property owner

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should be a party to any application made for a sign. Mr. Fink was asked to explain to Pacific Investment Company that the landlord should be a party to a sign request.

REZONING NW
CORNER OF
HAM & LODI AVE.
TO R-3

ORD. NO. 831
INTRODUCED

Notice thereof having been published in accordance with law, Mayor Walton called for public hearing on the recommendation of the Planning Commission to rezone property bounded by Ham, Walnut, Lodi Avenue and West Campus from R-1 Single Family Residential to R-3 Limited Multiple Family Residential. Mr. Cecil Harp, 401 West Oak Street, said he was representing Mr. and Mrs. Paul Harrison who own the property at the northwest corner of Ham and Lodi Avenue and who had requested the rezoning of their property to R-3. He requested that the rezoning be approved. Mr. Graves explained that the balance of the property to be rezoned had been included in the proposed rezoning by the Planning Commission. There were no other persons in the audience who wished to be heard on this matter and the public portion of the hearing was closed. On motion of Councilman Kirsten, Hunnell second, the City Council introduced Ordinance No. 831 rezoning the property bounded by Ham, Walnut, Lodi Avenue and the West Campus to R-3.

PREZONING NE
CORNER TURNER
AND MAIN
(WOODBIDGE)
TO "M"
INDUSTRIAL

ORD. NO. 832
INTRODUCED

Notice thereof having been published in accordance with law, the Mayor called for public hearing on the recommendation to zone, prior to annexation, property owned by General Mills at the northeast corner of Turner Road and Main Street (Woodbridge) to "M" Industrial. Mr. Mike Tracy, Route 2, Box 146, representing General Mills, stated that the company had purchased the additional land as a buffer to keep development away. Originally the company had considered purchasing one-half of the parcel. There are no present or prospective plans for any industrial activities on the property other than expansion of rail spur facilities to expedite present shipments. Mr. Tracy stated the request for industrial zoning was logical as all the company's property has this zoning. There were no others in the audience who wished to speak in favor of the zoning.

Mrs. Lucille Urbie, 31 Orange Street, Woodbridge, said she owns a trailer court north of the Woods School property and did not want industrial zoning so close to her property. She felt that industrial zoning should stay on the south side of Turner Road. Mr. R. M. Lipelt, Lodi Lake Mobile Home Park, said if the company expected to have the property used for agricultural purposes, industrial zoning should not be necessary. He also complained of the noise from the switch engines. Mr. Ben Osborn, 1106 Lake Home Drive, said people would not want to build expensive homes across from an industrial zone. Mr. Albert Thomas, Woodbridge, objected to the switching and noise. There were no others in the audience who wished to speak against the proposed zoning.

Councilman Culbertson felt that a building setback line along Main Street would protect the residential area. After discussion, it was moved by Councilman Kirsten that Ordinance No. 832 be introduced prezonning the parcel of land at the northeast corner of Turner Road and Main Street (Woodbridge) to "M" Industrial. The motion was seconded by Councilman Hunnell and carried by unanimous vote. The question of a building setback line is to be considered at a later date.

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RECESS

The Mayor declared a five-minutes recess at 10:15 p.m.

PLANNING COMMISSION

At its meeting of December 12, 1966, the City Planning Commission took the following actions:

1. Approved the request of Super Mold Corporation for the rezoning to "M" Industrial of a parcel located at the southeast corner of Lodi Avenue and the Freeway Frontage Road. On motion of Councilman Culbertson, Kirsten second, the matter was set for public hearing on January 4, 1967.
2. Denied a request for a use permit to erect a flashing-arrow sign at 121 North Sacramento Street.
3. Approved a request for a variance to reduce the required 20-foot front yard on a parcel at 1811 Mariposa Way with certain conditions.
4. Approved the appeal of Mr. W. Gene Ottinger for Perma-Nu Carpet Cleaners from the decision of the Planning Director so as to permit the listing of a home occupation in the Yellow Pages of the telephone book.

COMMUNICATIONS

"MATCHING FUNDS"
COLLIER-UNRUH ACT

A letter was received from the City of Madera inclosing a resolution requesting the amendment or repeal of the "matching funds" section of the Collier-Unruh Local Transportation Development Act. The letter requested that the Council consider taking similar action. The communication was tabled on motion of Councilman Kirsten, Culbertson second.

CITY OF MADERA
RE STATE
APPOINTMENT

A letter was read from the City of Madera urging support for the appointment of Mr. Frank Bergon, a resident of Madera County, as Director of Agriculture of the State of California. The letter was tabled on motion of Councilman Kirsten, Culbertson second.

ABC LICENSES

The following notices of application for Alcoholic Beverage License were read:

1. Dropping partner, El Rancho, 621 North Cherokee Lane.
2. Dropping & Adding Partner, Owl Liquor Store, 355 East Lodi Avenue.

REPORTS OF THE CITY MANAGER

CLAIMS

Claims in the amount of \$276,562.83 were approved on motion of Councilman Kirsten, Culbertson second.

WITHDRAWING
ST. PETER'S
LUTHERAN ADDN
FROM RURAL
FIRE DISTRICT

The City Manager reported that the annexation of St. Peter's Lutheran Addition had been completed and it was therefore in order to withdraw the addition from the Woodbridge Fire District. On motion of Councilman Kirsten, Hunnell second, the City Council adopted Resolution No. 3021 withdrawing St. Peter's Lutheran Addition from the Woodbridge Rural County Fire Protection District.

RES. NO. 3021

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ST. PETER'S
LUTHERAN CHURCH
PROPERTY AND
BASIN B-2 WATER
AND SEWER LINES

As requested by the Council at the previous meeting, Mr. Graves reported on the water and sewer requirements for Basin B-2 which is located adjacent to property of the St. Peter's Lutheran Church. He also explained the City's policy of requiring the developer to pay for water and sewer lines to service their property. St. Peter's Lutheran Church is asking the City to share in the cost of installing water and sewer lines which would service a portion of the church's property which is north of Basin B-2. Mr. Graves said that if the development of the basin and the church's property were looked upon as a joint development, the City could share in the cost. He said it would be two or three years before the City would be ready for connections.

Mr. Robert Houston, who is one of the developers of Twin Oaks West which is east of Basin B-2, was of the opinion that his agreement with the City was to share in the costs of Allen Drive, including water and sewer lines. He asks that the City pay 1/2 of the amount they had to pay above the acreage fee charged by the City. After discussion, on motion of Councilman Culbertson, the Council asked that the request of Mr. Houston be placed on the agenda for the next regular Council meeting and a report on utilities in Allen Drive be presented.

Stating that he was not interested in changing City policy in regard to property development, but felt the development of Basin B-2 and the property to the north was a joint venture, Councilman Kirsten moved that the City share in the cost of the water and sewer lines north of Basin B-2. The motion was seconded by Councilman Culbertson, who agreed that the development of both properties was planned at the same time and also would not be a change in City policy. The motion carried by unanimous vote.

CHEROKEE LANE
ACCESS RIGHTS
FOR TOKAY MOTORS

Mr. Graves presented the request of Tokay Motors by Dick Benson for three access rights on Cherokee Lane as shown on a plot plan, copies of which were presented to the Council. Mr. Graves recommended that the north and south access be approved, but he was of the opinion that the center access should not be granted because arrangement of the parking stalls was such that cars would be backing into traffic on Cherokee Lane. He stated that in exchange for the access rights Mr. Benson has agreed to pay for the cost of improvements along his frontage; this will be worked out when plans for Cherokee Lane are complete. Mr. Dick Benson, Route 2, Box 595, Acampo, spoke in behalf of his request for the access rights. He felt the center driveway would not cause problems with people backing onto the street because of the distance from the parking stalls to the street. Mr. Graves mentioned that 20-foot driveways being requested were large for one-way traffic. Mr. Benson said he preferred the 20-foot width. Stating that if the center driveway becomes a problem in the future the City has the right to abate it, Councilman Kirsten moved that the access rights as requested by Tokay Motors be granted subject to improving the parking area, curb, gutter, sidewalk and planting strip as finally planned for Cherokee Lane. The motion was seconded by Councilman Hunnell and carried by unanimous vote.

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CHANGE ORDERS #6
FOR PUBLIC
SAFETY BLDG

Mr. Graves submitted a request from Mr. Marion J. Varner, Architect for the Public Safety Building, for the following change orders for the Safety Building:

1. Installation of electric strikes for five doors in the jail area which will allow the command center to control doors into the minimum security corridor.
2. Addition of another alarm bell conduit for additional paging speakers considered essential by the Fire Department.
3. Addition of electric work to cause certain basic emergency lighting by the fire phone system in the Fire Department.
4. Addition of another light in the Fire Department classroom.

Mr. Graves said the total cost of these changes would amount to \$1,238.66. On motion of Councilman Kirsten, Hunnell second, the change orders were approved as presented by unanimous vote of the Council.

FIRE STATION
SITE ACQUISITION
RES. NO. 3022

Mr. Graves reported that an appraisal has been made of property which the City wishes to acquire for a fire station on East Lodi Avenue and that effort has been made to come to terms with the property owner but without success as the property owner is asking for an amount approximately 185% of the appraised value. He recommended that the City Attorney be authorized to initiate condemnation proceedings. On motion of Councilman Kirsten, Hunnell second, the City Council adopted Resolution No. 3022 authorizing the City Attorney to initiate condemnation proceedings for acquisition of property for Fire Station Site #2.

JANUARY
AGENDA

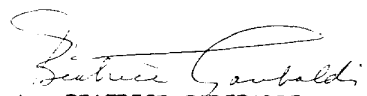
It was requested that the Lodi Baseball Club contract and status of acquisition of right of way on Lodi Avenue at Ham Lane be placed on the agenda for January 4, 1967.

LAFC

Councilman Culbertson stated that in February the Local Agency Formation Commission would hold an important informational meeting concerning functions of the LAFC. Supervisors, city councilmen, public works directors, planners, etc., would be invited to attend.

ADJUSTMENT

On motion of Councilman Kirsten, the meeting adjourned at 12:25 a.m.


Attest: BEATRICE GARIBALDI
City Clerk